

Minutes of the Meeting of the Utah Privatization Policy Board
Wednesday November 23, 2005 10:00 a.m.
Room 3150, State Office Building
Salt Lake City, Utah

Attendees:

Representative Fred Hunsaker, D. Chris Buttars, Steve Wrigley, Jim Kesler, Ted Boyer, Gretta Spendlove, Douglas Richins

Excused

Senator Brent Goodfellow, Tanya Henrie, Steve Dickson

Absent

Norm Tarbox, Robin Riggs

Guests

Mark Ellis – Ellis Environmental, Paul Ashton – Petroleum Retailers Organization

Welcome and Introductions

Senator Chris Buttars conducted the meeting.

Approval of Minutes:

Ted Boyer motioned for approval of the September minutes and Jim Kesler seconded that motion. The minutes were unanimously approved.

Presentation by Paul Ashton from Petroleum Retailers Organization and Mark Ellis of Ellis Environmental

Mr. Ashton gave his perspective on why the underground storage fund was created; to help small gas station operators cover their liability from leaking tanks. He said that he is concerned that the amount in the fund is inadequate to cover the potential needs. He expressed concerns with the management of the fund and the state's oversight of the remediation projects being paid for from the fund. He suggested that better oversight was needed, and that perhaps privatization was one possible solution. Senator Buttars indicated that he believed that private industry could administer the fund more effectively. Mr. Ellis said that he is a private contractor involved in cleaning up leaking underground storage tanks. He was formerly employed by the Department of Environmental Quality in the program that administers the fund. He said that he was involved in starting the program here and has also watched similar programs in other states. He believes that none of the state run programs are working. He has performed 90 cleanups in Utah under the fund. His firm uses bio-remediation methods for clean-ups. He suggested that Utah follow a privatized plan similar to one used by the state of Iowa. He suggested that there are two issues: 1- a need to have a financially solvent and solid fund, and said that a problem stems from retailers being able to opt partially or totally out of the fund; 2- he feels that the fund could be administered better. There was a healthy discussion by the board on this subject. It was decided to table this issue until the next meeting. At the December meeting it was suggested that perhaps we could have a report on the workings and decisions of the DEQ led Underground Storage Tank Task Force. It was suggested that Brad Johnson from DEQ and Jon Hill from the Utah Petroleum Marketer's Association be invited to attend the meeting for their perspective. Mr. Ashton and Mr. Ellis said that they will try and bring information on the Iowa model. Senator Buttars will investigate whether there is a legislative bill filed on this issue.

The board then took a tour of the new privatized Copy Center on Capitol Hill.

December Meeting

The December 21, 2005 meeting will be held at the State Office Building in room 1112 at 10:00 a.m...